

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-4, 6-24, and 34-37 are pending in this case. Claims 1, 2, 12, and 16 are amended and Claim 37 is added by the present amendment with support in the originally filed disclosure at least at Fig. 19 and the related descriptions, including paragraph [0204] of the published Specification. Thus, no new matter is added.

The outstanding Office Action rejected Claims 1-24 under 35 U.S.C. § 102(e) as unpatentable over Taki (U.S. Pub. No. 2004/0098592).

Applicants respectfully traverse the rejection of the pending claims.

The rejection of the claims is repeated from the previous Office Action, but the Response to Arguments, at page 12, does not respond to Applicants' arguments at all but, instead, merely restates assertions. Thus, Applicants' again present arguments that Taki fails to anticipate all the elements of at least the independent claims with a request that the arguments be considered and addressed. Further, new features recited by the amended claims are discussed as further distinguishing the claimed invention from Taki.

Claim 1 is directed to an **information processing device** comprising:

a communication unit for **executing communication processing with a license storage device** storing rights information serving as usage rights information of contents associated with a user of the information processing device, **and** communication processing with **a contents distribution server**;

an encryption processing unit for **executing encryption processing** including authentication processing in said communication processing; and

a control unit for **executing processing control for inputting rights information** corresponding to contents from said license storage device, via said communication unit, transmitting said input rights information, which indicates rights to receive streaming contents, to said contents distribution server, **and receiving streaming contents** corresponding to said rights information from said contents

distribution server and playing or using said streaming contents, the control unit **stopping the playing or the using of said streaming contents when a subsequent authentication processing, conducted when the information processing device is receiving said streaming contents, fails.**

As noted above, specific deficiencies of Taki with regard to Claim 1 have been detailed in the previous response.

Taki describes a content distribution system that allows a user to make a request, from one apparatus, such as a mobile terminal, for the download of contents to another apparatus, such as a PC.

That is, an information processing device executing communication processing with a license storage device and contents distribution server will not be the same device for receiving streaming contents in Taki. This is clearly shown, for example, at Fig. 3 of Taki. The mobile terminal 130 may be asserted as executing communication processing with the content distribution server 150, which is also asserted as the license storage device. However, the contents are clearly sent to the PC 120 rather than to the mobile terminal 130.

If a rejection of Claim 1 is maintained based on Taki, Applicants request an explicit response to the argument above specifically identifying the information processing device in Taki that is asserted to describe **every** element of Claim 1, as required under MPEP § 2131.

Further, amended Claim 1 recites “**stopping the playing or the using of said streaming contents when a subsequent authentication processing, conducted when the information processing device is receiving said streaming contents, fails.**”

Taki is silent as to the above-quoted features of amended Claim 1.

Because Taki does not anticipate Claim 1, as required under MPEP § 2131, Applicants respectfully request that the rejection under 35 U.S.C. § 102(e) of Claim 1 and Claims 2-4, 6-11, 34, and 35, which depend therefrom, be withdrawn.

Claims 12 and 16, though differing in scope from Claim 1, patentably define over Taki for reasons similar to those discussed above with regard to Claim 1.

Claim 12 recites a license storage device executing output processing of contents-corresponding rights information with regard to a contents using device for playing or using the content upon executing communication processing with the contents using device. However, as discussed with regard to Claim 1, the content distribution server 150 of Taki is described as executing output processing of rights information with regard to a PC 120, for example, upon executing communication processing with a mobile terminal 130, for example.

Claim 16 recites a contents distribution server receiving a contents use request from a contents using device and executing output processing of a contents file to the contents using device. However, as discussed with regard to Claim 1, the content distribution server 150 of Taki is described as receiving the content request from a mobile terminal 130, for example, to ultimately distribute the content to a PC 120, for example.

Further, amended Claim 16 recites “the verification of said rights information being executed at least once during the output processing of streaming contents to said contents using device and the output processing of streaming contents being stopped upon failure of the verification.” Taki is silent as to these features of amended Claim 16.

Claim 21 recites “generating rights information storing an **identifier of a license storage device** serving as a storage device for said rights information...and executing output processing of said rights information.”

However, nothing in Taki describes that an identifier of the content distribution server 150, which is asserted as the license storage device, is stored in rights information output by the content distribution server 150.

Again, if any of the assertions specifically addressed above are repeated in a subsequent Office Action, Applicants request explicit arguments in response to the above remarks.

Based on the discussion above, Applicants respectfully request that the rejection under 35 U.S.C. § 102(e) of Claim 12, Claims 13-15, which depend therefrom, Claim 16, Claims 17-20 and 36, which depend therefrom, Claim 21, and Claims 22-24, which depend therefrom, be withdrawn.

New Claim 37 depends from Claim 21 and, therefore, patentably defines over Taki for at least the same reasons as Taki. Further, Claim 37 further clarifies that streaming contents are stopped when authentication of a player with the license server fails.

Accordingly, the outstanding rejections are traversed and the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

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